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AT SEATTLE  
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WESTERN DISTRICT OF WASHINGTON  
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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

FRANK L. MCCALL, Jr., *et al.*,

Plaintiffs,

v.

CITY OF BATON ROUGE, *et al.*,

Defendants.

CASE NO. C06-1038-JLR-MJB

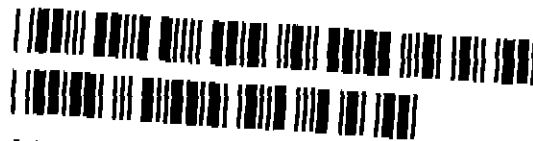
ORDER DISMISSING § 1983 ACTION

The Court, having reviewed the Report and Recommendation of the Honorable Monica J. Benton, United States Magistrate Judge, and the balance of the record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation.
- (2) Plaintiff's application for leave to proceed *in forma pauperis* (Dkt. #1) is DENIED.
- (3) The complaint and this action are DISMISSED without prejudice.
- (4) The Clerk is directed to send copies of this Order to plaintiff and to Judge Benton.

DATED this 29th day of September, 2006.

  
JAMES L. ROBART  
United States District Judge



06-CV-01038-ORD

ORDER DISMISSING § 1983 ACTION